

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JAN 12 2010 ★
BROOKLYN OFFICE

SLR:AH:KAN
F.#2009R00486

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA,

Plaintiff,

-against-

MASIA JAMES,

Defendant.

- - - - - X

PRELIMINARY
ORDER OF FORFEITURE

09-CR-195(2)

(Gleeson, J.)

WHEREAS, on July 1, 2009 the Defendant pled guilty to Count One of the Indictment, charging a violation of 18 U.S.C. § 371 and 31 U.S.C. § 5332(a), and agreed to the entry of an order forfeiting the sum of one hundred eighty six thousand seven hundred and seventy five dollars and no cents (\$186,775.00) more or less, in United States currency (the "Seized Currency"), seized from the Defendant and Karen Walker on or about March 9, 2009, at John F. Kennedy International Airport, pursuant to 31 U.S.C. § 5332 and 21 U.S.C. § 853(p).

NOW THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED, on consent of all parties, as follows:

1. The Defendant MASIA JAMES hereby forfeits all right, title and interest in the Seized Currency pursuant to 31 U.S.C. § 5332(b)(2) and 21 U.S.C. 853(p), as property involved in a conspiracy to violate 31 U.S.C. 5332, and/or property traceable thereto, and/or as substitute property.

2. Upon entry of this Order, the United States Attorney General or designee is authorized to seize the Seized Currency and to conduct any proper discovery, in accordance with Fed. R. Crim. P. 32.2(b)(3) and (c), and to commence any applicable proceeding to

comply with the statutes governing third party rights, including giving notice of this Order.

3. The United States shall publish notice of this Order, in accordance with the custom and practice in this district, on the official government website www.forfeiture.gov, and of its intent to dispose of the Seized Currency in such a manner as the Attorney General or his designee may direct. The United States may, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the Seized Currency as a substitute for published notice as to those persons so notified.

4. Any person, other than the Defendant, asserting a legal interest in the Seized Currency may, within thirty days of the final publication of notice or receipt of notice, or no later than sixty (60) days after the first day of publication on an official internet government forfeiture site, whichever is earlier, petition the court for hearing without a jury to adjudicate the validity of his alleged interest in the property, and for an amendment of the order of forfeiture, pursuant to 21 U.S.C. § 853(n)(6).

5. Pursuant to the Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment.

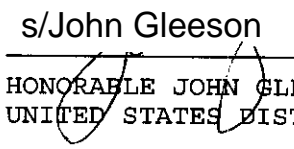
6. The court shall retain jurisdiction of this action to ensure compliance with the terms of this Order.

7. The Clerk of the Court is directed to send, by inter-office mail, 4 certified copies of this executed Preliminary Order of Forfeiture to FSA Paralegal Contractor, Dionne Gill, United States Attorney's Office, Eastern District of New York, 271 Cadman Plaza

East, 7th Floor, Brooklyn, New York 11201.

Dated: Brooklyn, New York
November__, 2009

s/John Gleeson


HONORABLE JOHN GLEESON
UNITED STATES DISTRICT JUDGE

1-11-10